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LOK SABHA

The following Bill was introduced in Lok Sabha on the 19th March, 1964:—

BILL No. 23 OF 1964

A Bill to amend the Public Employment (Requirement as to Residence) Act, 1957.

BE it enacted by Parliament in the Fifteenth Year of the Republic of India as follows:—

1. This Act may be called the Public Employment (Requirement as to Residence) Amendment Act, 1964. Short title.

44 of 1957. 5 2. For section 4 of the Public Employment (Requirement as to Residence) Act, 1957 (hereinafter referred to as the principal Act), Amendment of section 4.
the following section shall be substituted, namely:—

10 "4. Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule."

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Parliamentary scrutiny of rules.

Amend-
ment of
section 5.

3. In section 5 of the principal Act, for the words "five years", the words "ten years" shall be substituted and shall be deemed always to have been substituted.

Validity
of rules
and action
taken
there-
under.

4. For the removal of doubts, it is hereby declared that all rules made under section 3 of the principal Act and in force immediately before the 21st March, 1964, shall continue to be in force after that date until amended, varied or rescinded, as if such rules were made under the principal Act as amended by this Act; and any action taken (including appointments made) in pursuance of those rules on or after the 21st March, 1964 and before the commencement of this Act shall be as valid and operative as if it had been taken in accordance with law.

STATEMENT OF OBJECTS AND REASONS

The Public Employment (Requirement as to Residence) Act, 1957, repeals all the laws in force in the States and Union territories with regard to requirements as to residence for purposes of any employment or appointment under the State, any local or other authority, but section 3 of the Act empowered the Central Government to make rules prescribing requirements as to residence within Telangana area of Andhra Pradesh or the Union territories of Himachal Pradesh, Manipur or Tripura for appointments in subordinate services. Section 5 of the Act fixed a period of five years from the commencement of the Act during which the domicile rules framed under section 3 in respect of the above mentioned areas were to remain in force. Since the Act came into force on the 21st March, 1959, the domicile rules framed under section 3 will cease to be operative with effect from the 21st March, 1964.

2. It is considered desirable, after consultation with the Government of Andhra Pradesh and the Administrations of the Union territories concerned, that the domicile rules framed in respect of the areas mentioned above should be kept in force for a further period of five years. The Bill seeks to achieve this object.

NEW DELHI;

GULZARILAL NANDA.

The 11th March, 1964.

M. N. KAUL,
Secretary.

